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September 6, 2016

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VIA ECF
Hon. Arlene R. Lindsay
United States Magistrate Judge
814 Federal Plaza
Central Islip, NY 11722

Re: Wang v. 3018 Wild Ginger, Inc., *et al.*
Case No.: 16-cv-907 (JFB)(ARL)

Dear Judge Lindsay,

This firm is counsel to Plaintiff in the above reference case. I write to respectfully request that the Court compel the Defendants to respond to Plaintiff's first request for the production of documents and interrogatories.

Plaintiff initially served Defendants with interrogatories and requests for the production of documents on May 13, 2016. (Exhibit A). By June 13, 2016 Defendants had not produced any responsive discovery documents. The following date I sent an email to Defendants' counsel, Michael Samuel, Esq. to remind him that the responses were due. (Exhibit B).

More than three months have past and still Defendants have not responded to Plaintiff's requests. Further, on Monday August 15, 2016, I sent another email giving Defendants until the end of the week, to provide their responses Id. Mr. Samuel responded on August 23, 2016 and informed me that he was out of the country and would respond the following week. Id. I asked that he respond by August 31. Id. I have still not received any responses from Defendants.

Given the excessive delay in responding to Plaintiff's requests, despite Defendants' assurances, Plaintiff has no other choice but to request that this Court compel Defendants to respond to the interrogatories and to produce all documents that we requested on May 13, 2015.

Respectfully submitted,

/s/ William Brown
William Brown, Esq.

cc: Michael Samuel, Esq. (via ECF)

EXHIBIT A

UNITED STATES DISTRICT COURT
EASTEN DISTRICT OF NEW YORK

Yong Xin Wang, individually and on behalf all other employees similarly situated,

Plaintiff

v.

3018 Wild Ginger, Inc. d/b/a Wild Ginger, 3018 Japan Inc., d/b/a Wild Ginger, Yong Qiu, Jessica Susanto, John Doe and Jane Doe # 1-10

Defendants.

Case No.:16-cv-907 (JFB)(ARL)

PLAINTIFF'S FIRST SET OF INTERROGATORIES AND DOCUMENT REQUESTS

Plaintiff YONG XIN WANG ("Wang" or "Plaintiff"), by and through his attorneys, Hang & Associates, PLLC, in accordance with Rules 33 and 34 of the Federal Rules of Civil Procedure and the Local Civil Rules of the United States District Courts for the Eastern District of New York, hereby requests that Defendants 3018 WILD GINGER, INC. d/b/a "Wild Ginger", 3018 JJAPAN INC., d/b/a Wild Ginger, YONG QIU, JESSICA SUSANTO, JOHN DOES and JANE DOES #1-10 (Collectively "Defendants") respond to the following interrogatories (the "Interrogatories"), and Document Production Requests (the "Requests") in writing under oath within 30 days of service pursuant to the Federal Rules of Civil Procedure and applicable Eastern District local rules.

INSTRUCTIONS AND DEFINITIONS RE INTERROGATORIES

Defendants shall follow these Instructions and Definitions in responding to each of the numbered Interrogatories, below.

1. Each interrogatory which seeks information relating in any way to communication to, from or within a business and/or corporate entity is hereby designated to demand and should be construed to include all communications by and between representatives, employees, agents, brokers and/or servants of the business and/or corporate entity.

2. The following interrogatories and responses shall be governed by the definitions and instructions contained in Rule 26.3 of the Local Civil Rules of the United State District Court for the Eastern District of New York, as amended, which are incorporated by reference in these interrogatories.

3. Unless otherwise indicated, each interrogatory is to be construed as encompassing all information (including documents) from February 2010 to the present (the "Relevant Time Period").

4. These interrogatories shall be deemed to be continuing in nature so as to require further and supplemental answers or production when Defendants discover, receive or generate additional information or responsive documents between the time of the original responses and/or production and the time of trial.

5. Each interrogatory should be responded to separately, verified, and such response shall be set forth below each corresponding interrogatory posed herein, with all stated objections proceeding each interrogatory response.

6. Any documents produced in response to these interrogatories shall include all drafts thereof, attachments and enclosures. A document which is produced in response to more than one interrogatory may, if the relevant portion is marked or indexed, be produced and referred to in a letter response.

7. All documents produced in response to these interrogatories shall be produced in total, notwithstanding the fact that portions thereof, may contain information not requested.

8. Where the answers to these Interrogatories are based upon documents, or documents were used to refresh the recollection of any person responding to these Interrogatories, identify the documents upon which the answer were based. Any documents produced in response to these Interrogatories shall be produced in total, notwithstanding the fact that portions thereof may contain any information not requested. In responding to these Interrogatories, Defendant shall provide all requested documents in his possession, custody or control and shall include all such documents in the possession, custody or control of a Defendant's attorneys, investigators or any third party to whom a Defendant has surrendered possession, custody or control, who is acting on a Defendant's behalf , who has otherwise obtained possession, custody or control or who, upon a Defendant's request, would surrender possession, custody or control to a Defendant. If a Defendant cannot produce any document after exercising due diligence to secure such document, they are to so state, describe the document that they are attempting to secure and the efforts being made to secure the same, and respond to the remainder of the request.

9. For any document or portion of a document that is withheld on grounds of privilege, a privilege log shall be provided in accordance with the requirements of the Local Civil Rules.

10. Unless otherwise indicated, each request asking for information regarding should be construed as encompassing any corporation, partnership, subsidiary or other business

owned and/or operated, in whole or in part, by and/or any, affiliate, parent company or entity, owner or other related entity.

11. Unless otherwise indicated, Defendant shall mean all the Defendants in the above-titled action. Such definition shall include all Defendants in both the conjunctive and disjunctive, whichever is broader, so as to include the greatest information in the possession of Defendants. Plaintiff(s) shall mean all the Plaintiffs, both named in the Complaint, and opting in to this action under 29 U.S.C 216(b).

12. This Action shall be understood to refer this matter pending in the U.S.D.C. for the S.D.N.Y. and any related proceedings. The Complaint shall be understood to refer to the Complaint filed in this Action, and all Amendments thereto, the Answer shall be understood to refer to the Answer field in this action, and all amendments thereto, and the Counterclaim shall be understood to refer to the Counterclaim filed in this action, and all amendments thereto.

13. The term "employer", "employee", and "employed" shall be given the broadest definition possible, so as to include person(s) whom a Defendant many contest is (or are) not actually employed by any Defendant. If a Defendant wishes to raise an objection to the usage of the term, they should do so within the interrogatory, and provide the information with any exception to the usage of the term explained in the response.

14. If you object to any Interrogatory or any part thereof on the basis of privilege, comply with all requirements set forth in the United States District Court, Southern District of New York's Local Civil Rule 26.2. As required therein, identify each statement or document for which the privilege is claimed, and as to each statement, identify the person who made the statement, specify the date it was made, identify all persons who were present when it was made or who heard the statement, and state the basis on which the privilege is claimed.

15. If a Defendant objects to a portion of any interrogatory, they shall provide information responsive to the remainder of the interrogatory.

16. To the extent answers are not based on the personal knowledge of the person or persons answering these Interrogatories, or are based on information and belief, identify the grounds and/or sources of information for answers or portions thereof.

INTERROGATORIES TO INDIVIDUAL DEFENDANT YONG QIU

1. Identify each and every person whom you believe has knowledge or information concerning the allegations contained in the Complaint and the Defendant's respective Answers filed thereto in this action, and set forth a general description of the knowledge or information that each and every person is believed to possess.

2. Identify each and every company, partnership, and corporation for which you possess an ownership interest, include the number of shares and/or amount of controlling interest, and the time period in which you held such an interest.

3. Identify each and every company and corporation for which you serve as an officer or a member of the board of directors.

4. Identify the name and location of each and every restaurant owned or operated by you, in whole or in part.

5. Identify each and every employer for whom you have worked or for whom you provided services from February 2010 to the present (or provide a document sufficient to do so, such as a current resume).

6. Identify the location and general description of any documents relating to any lawsuit or legal proceeding for which you have ever been a party and/or a witness.

7. Identify each and every individual who at any time had decision-making authority with respect to the Plaintiff's employment, or who managed or supervised the Plaintiff's work or assigned him tasks or duties.

8. Identify each and every individual responsible for calculating the time the Plaintiff worked, issuing and authorizing weekly paychecks, and maintaining payroll records.

9. Identify each and every individual responsible for determining the Plaintiff's compensation, including the regular rate of pay, overtime rate of pay, bonuses, benefits, and pay raises.

10. Identify the location and general description of any documents that reflect the hours worked by the Plaintiff; the computation of the Plaintiff's regular and overtime earnings; and deductions from the Plaintiff's pay.

11. Identify the location and general description of any documents that reflect any cash payments made to the Plaintiff.

12. Identify each and every individual responsible for maintaining the documents identified in Interrogatories No. 10 and 11.

13. Identify all real property owned by Defendant or in which any Defendant has or had a financial interest, either individually and/or jointly with another individual and/or entity, from 2010 to the present date, including, without limitation, homes, apartments, and/or condominiums.

14. Identify any phone number used by you to conduct business concerning any other Defendant in this matter (including the Corporate Defendant).

15. Identify any e-mail address used by you to conduct business concerning any other Defendant in this matter (including the Corporate Defendant).

16. Identify the location of any computer or other electronic data storage device used by you to conduct business concerning any other Defendant in this matter (including the Corporate Defendants).

17. Where not already identified in Interrogatory 2, above, identify any other business entity to which, or from which, you, or any of the other Defendant (including the Corporate Defendant) have transferred assets and/or debts exceeding $50,000, since February 2010, whether by one transaction, or a series of related transactions.

18. Identify each and every person employed by, retained by, or contracted with you to prepare your (1) New York State Tax filings and papers, and (2) Federal Tax filings and papers.

19. Identify each and every person employed by, retained by, or contracted with you to provide accounting services for you.

20. Identify each and every person who has personal knowledge regarding the gross volume of sales done by Defendant in this action for 2010 to 2016.

21. Identify the account in each and every banking or financial institution in which you have an account in your name.

22. Identify the account in each and every banking or financial institution to which you (whether directly or otherwise through your direction, or for your benefit, or for the benefit of someone in your immediate family) have transferred assets from any Defendant business or corporate entity(s) in this action (including the Corporate Defendant).

23. Identify each person who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence. With respect to each witness who is retained or specially employed to provide expert testimony in the case or whose duties as an employee of the party regularly involve giving expert testimony, pursuant to Fed. R. Civ. P. 26(a)(2), this disclosure shall be accompanied by a written report prepared and signed by the witness, containing a complete statement of all opinions to be expressed and the basis and reasons therefore; the data or other information considered by the witness in forming the opinions; any exhibits to be used as a summary of or support for the opinions; the qualifications of the witness, including a list of all publications authorized by the witness within the preceding ten years; the compensation to be paid for the study and testimony; and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years.

CERTIFICATION

I hereby certify that the foregoing answers to Interrogatories are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

________________________ ________________________

Date By

INTERROGATORIES TO INDIVIDUAL DEFENDANT JESSICA SUSANTO

1. Identify each and every person whom you believe has knowledge or information concerning the allegations contained in the Complaint and the Defendant's respective Answers filed thereto in this action, and set forth a general description of the knowledge or information that each and every person is believed to possess.

2. Identify each and every company, partnership, and corporation for which you possess an ownership interest, including by stating the number of shares and/or amount of controlling interest, and the time period in which you held such an interest.

3. Identify each and every company and corporation for which you serve as an officer or a member of the board of directors.

4. Identify the name and location of each and every restaurant owned or operated by you, in whole or in part.

5. Identify each and every employer for whom you have worked or for whom you provided services from February 2010 to the present (or provide a document sufficient to do so, such as a current resume).

6. Identify the location and general description of any documents relating to any lawsuit or legal proceeding for which you have ever been a party and/or a witness.

7. Identify each and every individual who at any time had decision-making authority with respect to the Plaintiff's employment, or who managed or supervised the Plaintiff's work or assigned him tasks or duties.

8. Identify each and every individual responsible for calculating the time the Plaintiff worked, issuing and authorizing weekly paychecks, and maintaining payroll records.

9. Identify each and every individual responsible for determining the Plaintiff's compensation, including the regular rate of pay, overtime rate of pay, bonuses, benefits, and pay raises.

10. Identify the location and general description of any documents that reflect the hours worked by the Plaintiff; the computation of the Plaintiff's regular and overtime earnings; and deductions from the Plaintiff's pay.

11. Identify the location and general description of any documents that reflect any cash payments made to the Plaintiff.

12. Identify each and every individual responsible for maintaining the documents identified in Interrogatories No. 10 and 11.

13. Identify all real property owned by Defendant or in which any Defendant has or had a financial interest, either individually and/or jointly with another individual and/or entity, from 2010 to the present date, including, without limitation, homes, apartments, and/or condominiums.

14. Identify any phone number used by you to conduct business concerning any other Defendant in this matter (including the Corporate Defendant).

15. Identify any e-mail address used by you to conduct business concerning any other Defendant in this matter (including the Corporate Defendant).

16. Identify the location of any computer or other electronic data storage device used by you to conduct business concerning any other Defendant in this matter (including the Corporate Defendant).

17. Where not already identified in Interrogatory 2, above, identify any other business entity to which, or from which, you, or any of the other Defendant (including the Corporate Defendant) have transferred assets and/or debts exceeding $50,000, since February 2010, whether by one transaction, or a series of related transactions.

18. Identify each and every person employed by, retained by, or contracted with you to prepare your (1) New York State Tax filings and papers, and (2) Federal Tax filings and papers.

19. Identify each and every person employed by, retained by, or contracted with you to provide accounting services for you.

20. Identify each and every person who has personal knowledge regarding the gross volume of sales done by Defendant in this action for 2010 to 2016.

21. Identify the account in each and every banking or financial institution in which you have an account in your name.

22. Identify the account in each and every banking or financial institution to which you (whether directly or otherwise through your direction, or for your benefit, or for the benefit of someone in your immediate family) have transferred assets from any Defendant business or corporate entity(s) in this action (including the Corporate Defendant).

23. Identify each person who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence. With respect to each witness who is retained or specially employed to provide expert testimony in the case or whose duties as an employee of the party regularly involve giving expert testimony, pursuant to Fed. R. Civ. P. 26(a)(2), this disclosure shall be accompanied by a written report prepared and signed by the witness, containing a complete statement of all opinions to be expressed and the basis and reasons therefore; the data or other information considered by the witness in forming the opinions; any exhibits to be used as a summary of or support for the opinions; the qualifications of the witness, including a list of all publications authorized by the witness within the

preceding ten years; the compensation to be paid for the study and testimony; and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years.

CERTIFICATION

I hereby certify that the foregoing answers to Interrogatories are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

____
Date

____
By

INTERROGATORIES TO CORPORATE DEFENDANT 3018 WILD GINDER INC.

1. Identify each and every person believed to possess information concerning Plaintiff's claims, as set forth in the Complaint in this Action, Defendants' defenses (if any), or Defendants' Counterclaims as set forth in the Answer in this Action, and state the nature of the information each person is believed to possess.

2. Identify each shareholder or other person who has or had an ownership interest in Corporate Defendant, including stating the number of shares and/or amount of controlling interest, and the time period in which they held such an interest.

3. Identify each officer and director of Corporate Defendant, including stating their title and function, and the time period for which they held each position.

4. Identify each corporation, partnership, subsidiary, or other business owned and/or operated, in whole or in part, by any person identified in response to Interrogatory No. 2 above.

5. Identify (including by number and date issued) each business license issued to Corporate Defendant, or identify and provide document(s) sufficient to do the same.

6. Identify each person responsible for managing employees including each and every person responsible for the following tasks:
   A. Determining employees' compensation

   B. Determining employees' work hours or work schedules;

   C. Determining employees' status as exempt or nonexempt;

   D. Calculating employees; time worked;

   E. Preparing the payroll;

   F. Maintaining payroll records; and

   G. Paying employees

7. Identify each current and former employee of Corporate Defendant since February 2013 (or identify and produce a document sufficient to do so), and for each employee identified, state the time period he or she worked for Corporate Defendant (or identify and produce a document sufficient to do so).

8. Identify any employee(s), or other person acting on the behalf of Defendant (i.e. an accountant), who was responsible for maintaining, updating and/or keeping the financial and/or account records (books) for Corporate Defendant.

9. State the Corporate Defendant' Gross Volume of Sales for 2010 to 2016, and identify any documents which were used (if any) in providing this information.

10. Identify any electronic or written method by which Defendant maintained, stored, accessed, and recorded (a) employee contact information, (b) employee hours worked, and (c) employee pay received, including, where applicable:

    A. The name, type, and location of such written documentation;

    B. The computer used, and where the computer was replaced, the current place of the hard-drive of any computer used;

    C. The program(s) used to access, retrieve, store, change, and back-up the data;

    D. The type of back-up program or other data archiving system used; and

    E. The location of any back-up tapes, drives, or other data storage devices used to contain such information.

11. Identify all person(s), whether employed or not by Defendant, with the authority to hire or fire employees of Defendant, or discipline employees of Defendant.

12. To the extent not disclosed in response to any other interrogatory, identify each person with knowledge of Defendant's policies and practices with respect to paying their employees.

13. Identify each person whom Defendant may use as an expert witness at trial.

14. Identify each e-mail address used by Defendant to communicate concerning business conducted by Corporate Defendant, including any e-mail address used by any employees, managers, or owners of all the above named Corporate Defendant to discuss business operations, employees, payroll, wages, or other issues concerning this litigation (whether or not such e-mail address(s) are in the name of Corporate Defendant).

15. State the method by which Plaintiff's hours or work were recorded and maintained.

16. For the Plaintiff, state the method by which overtime pay was calculated and accounted for.

17. For the Plaintiff, state the method by which any wage supplements or deductions were calculated and accounted for.

18. Identify any person(s) to which Corporate Defendant (including natural persons and business entities), have transferred debts or liabilities over $50,000 in value, and state the nature of the transaction, or identity and provide a document sufficient to do the same.

19. State with particularity Plaintiff's duties while employed by Defendants.

20. State with particularity the factual basis for the Defendants' claims that Plaintiff committed prima facie torts against Defendant by inflicting monetary harm against Defendants through blackmail and extortion.

21. State with particularity the factual basis for the Defendants' claims that Plaintiff tortuously interfered with contracts against Defendants.

22. Provide the names of all Defendants' employees who had employment contracts with Defendants as alleged in Defendants' Second Counterclaim and the date such agreements were executed.

23. State with particularity the nature of the employment agreements referenced in Defendants' Second Counterclaim and their content.

24. State with particularity the form and amount of consideration provided for the alleged employment agreements between Defendants and Defendants' employees, including Plaintiff.

25. Describe the nature and content of the release referenced in Defendants' Twenty-third (23) Affirmative Defense and the consideration provided.

CERTIFICATION

I hereby certify that the foregoing answers to Interrogatories are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

______________________ Date

______________________ By

INTERROGATORIES TO CORPORATE DEFENDANTS 3018 JAPAN INC

1. Identify each and every person believed to possess information concerning Plaintiff's claims, as set forth in the Complaint in this Action, Defendants' defenses (if any), or Defendants' Counterclaims as set forth in the Answer in this Action, and state the nature of the information each person is believed to possess.

2. Identify each shareholder or other person who has or had an ownership interest in Corporate Defendant, including stating the number of shares and/or amount of controlling interest, and the time period in which they held such an interest.

3. Identify each officer and director of Corporate Defendant, including stating their title and function, and the time period for which they held each position.

4. Identify each corporation, partnership, subsidiary, or other business owned and/or operated, in whole or in part, by any person identified in response to Interrogatory No. 2 above.

5. Identify (including by number and date issued) each business license issued to Corporate Defendant, or identify and provide document(s) sufficient to do the same.

6. Identify each person responsible for managing employees including each and every person responsible for the following tasks:
   A. Determining employees' compensation

   B. Determining employees' work hours or work schedules;

   C. Determining employees' status as exempt or nonexempt;

   D. Calculating employees; time worked;

   E. Preparing the payroll;

   F. Maintaining payroll records; and

   G. Paying employees

7. Identify each current and former employee of Corporate Defendant since February 2013 (or identify and produce a document sufficient to do so), and for each employee identified, state the time period he or she worked for Corporate Defendant (or identify and produce a document sufficient to do so).

8. Identify any employee(s), or other person acting on the behalf of Defendant (i.e. an accountant), who was responsible for maintaining, updating and/or keeping the financial and/or account records (books) for Corporate Defendant.

9. State the Corporate Defendant' Gross Volume of Sales for 2010 to 2016, and identify any documents which were used (if any) in providing this information.

10. Identify any electronic or written method by which Defendant maintained, stored, accessed, and recorded (a) employee contact information, (b) employee hours worked, and (c) employee pay received, including, where applicable:

    A. The name, type, and location of such written documentation;

    B. The computer used, and where the computer was replaced, the current place of the hard-drive of any computer used;

    C. The program(s) used to access, retrieve, store, change, and back-up the data;

    D. The type of back-up program or other data archiving system used; and

    E. The location of any back-up tapes, drives, or other data storage devices used to contain such information.

11. Identify all person(s), whether employed or not by Defendant, with the authority to hire or fire employees of Defendant, or discipline employees of Defendant.

12. To the extent not disclosed in response to any other interrogatory, identify each person with knowledge of Defendant's policies and practices with respect to paying their employees.

13. Identify each person whom Defendant may use as an expert witness at trial.

14. Identify each e-mail address used by Defendant to communicate concerning business conducted by Corporate Defendant, including any e-mail address used by any employees, managers, or owners of all the above named Corporate Defendant to discuss business operations, employees, payroll, wages, or other issues concerning this litigation (whether or not such e-mail address(s) are in the name of Corporate Defendant).

15. State the method by which Plaintiff's hours or work were recorded and maintained.

16. For the Plaintiff, state the method by which overtime pay was calculated and accounted for.

17. For the Plaintiff, state the method by which any wage supplements or deductions were calculated and accounted for.

18. Identify any person(s) to which Corporate Defendant (including natural persons and business entities), have transferred debts or liabilities over $50,000 in value, and state the nature of the transaction, or identity and provide a document sufficient to do the same.

19. State with particularity Plaintiff's duties while employed by Defendants.

20. State with particularity the factual basis for the Defendants' claims that Plaintiff committed prima facie torts against Defendant by inflicting monetary harm against Defendants through blackmail and extortion.

21. State with particularity the factual basis for the Defendants' claims that Plaintiff tortuously interfered with contracts against Defendants.

22. Provide the names of all Defendants' employees who had employment contracts with Defendants as alleged in Defendants' Second Counterclaim and the date such agreements were executed.

23. State with particularity the nature of the employment agreements referenced in Defendants' Second Counterclaim and their content.

24. State with particularity the form and amount of consideration provided for the alleged employment agreements between Defendants and Defendants' employees, including Plaintiff.

25. Describe the nature and content of the release referenced in Defendants' Twenty-third (23) Affirmative Defense and the consideration provided.

CERTIFICATION

I hereby certify that the foregoing answers to Interrogatories are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

____
Date

____
By

INSTRUCTIONS AND DEFINITIONS RE DOCUMENT REQUESTS

Each numbered request for production, as set forth below (the "requests"), shall be deemed to state and incorporate each and every of the below numbered instructions and definitions as if set forth fully therein.

1. Each request which seeks information relating in any way to communications to, from or within a business and/or corporation entity is hereby designed to demand and should be constructed to include all communications by and between representatives, employees, agents, brokers and/or servants of the business and/or servants of the business and/or corporate entity.

2. Each request should be responded to separately. However, a document which is the response to more than one request may, if the relevant portion is marked or indexed, be produced and referred to in a later response.

3. If Defendants object to a portion of any request, they shall furnish documents responsive to the remainder of the request.

4. The documents produced in response to this Request shall include all drafts thereof, attachments and enclosures.

5. All documents produced in response to this Request shall be produced in total, notwithstanding the fact that portions thereof may contain information not requested.

6. In responding to this Request, Defendants shall provide all requested documents in their possession, custody or control and shall include all such documents in the possession, custody or control of Defendants' attorneys, investigators or any third party to whom Defendants have surrendered possession, custody or control, who are acting on Defendants' behalf, who have otherwise obtained possession, custody or control or who, upon Defendants' request, would surrender possession, custody or control to Defendants.

7. If Defendants cannot produce any document after exercising due diligence to secure such document, they are to so state, describe the document that they are attempting to secure and the efforts being made to secure the same, and respond to the remainder of the request.

8. The request and responses thereto shall be governed by the definitions and instructions contained in Rule 26.3 of the Local Civil Rules of the United State District Court for the Eastern District of New York, as amended, which are incorporated by reference in these requests.

9. For any document or portion of a document that is withheld on grounds of privilege, a privilege log shall be provided in accordance with the requirements of the Local Civil Rules (e.g. Local Rule 26.2)

10. For any document withheld on grounds other than privilege, Defendants shall indicate with specificity the grounds under which they are withholding the document, and identify the

document by including a description of the document in a log similar to a privilege log or other means sufficient to describe for any such documents (i) the types of documents; (ii) the general subject matter of the documents; (iii) the dates of the documents; (iv) the authors, addresses and recipients of the documents; (v) the circumstances surrounding the loss of the documents or destruction of the documents, if applicable, and (vi) the last or present custodian of the documents.

11. For all documents that are not produced in response to any of the requests because such documents were lost or destroyed, such document shall be identified by giving, to the extent known: (i) the types of documents; (ii) the general subject matter of the documents; (iii) the dates of the documents; (iv) the authors, addresses and recipients of the documents; (v) the circumstances surrounding the loss of the documents or destruction of the documents, if applicable, and (vi) the last or present custodian of the documents.

12. This Request shall be deemed to be continuing in nature so as to require further and supplemental production when Defendants discover, receive or generate additional responsive documents between the time of the original production and the time of trial.

13. This "action" or "lawsuit" shall mean the above captioned action, filed in the Eastern District of New York.

14. The complaint shall mean the Complaint or any Amended Complaint in this action, the Answer shall mean the Answer and any Amended Answer filed in this action, and the Counterclaims shall mean the Counterclaims filed in this action.

15. Unless otherwise indicated, each request is to be constructed as encompassing all documents dated or created from six years prior to the filling of the lawsuit, to the present date.

16. Unless otherwise indicated, each request asking for information regarding Defendants, should be constructed as encompassing any corporation, partnership, subsidiary or other business owned and/or operated, in whole or in part, by Defendants.

17. Unless otherwise indicated, Defendants shall mean all the Defendants in the above-titled action. Plaintiff or Plaintiffs shall mean the named Plaintiffs and any additional opt in Plaintiff.

18. In responding to these requests, the documents produced shall be segregated and identified by the paragraphs and subparagraphs of this request to which they primarily responsive; or shall be produced as kept in the ordinary course of business.

19. Defendants shall respond to these combined requests separately, and indicate from which Defendant any document is produced. Therefore, each Defendant shall produce their own set of responsive documents, even if duplicative of other respective Defendants' production. If such production becomes unduly burdensome, counsel for Defendants is invited to discuss with Plaintiff's counsel an appropriate means of indicating which documents are being produced from the possession, custody, and/or control of which specific defendant(s).

DOCUMENT REQUESTS

1. All documents used or referred to by Defendants in preparing their Answer to the Complaint in this action.

2. All documents that relate to Defendants' Affirmative Defenses in Defendants' Answer.

3. All documents that relate to Defendants' Counterclaims in Defendants' Answer.

4. All documents concerning insurance agreements which Defendants may utilize to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

5. All documents identified in response to any of Plaintiff's interrogatories (whether now issued or issued in the future) to Defendants (whether to the Individual Defendant or the Corporate Defendant) and all documents relied upon in answering such interrogatories.

6. All documents establishing the Corporate Defendant, including, without limitation, articles of incorporation, filings with any state division of corporations, member agreements, or partnership agreements.

7. All documents which indicate ownership of the Corporate Defendant.

8. All documents reflecting the names, addresses, and telephone numbers of the officers, directors, members or owners of the Corporate Defendant.

9. All documents concerning shareholder agreements or other agreements between shareholders, members or owners of the Corporate Defendant.

10. All documents identifying all the names and addresses of any other corporations, partnerships, or business interests owned, in whole or in part, or operated, in whole or in part, by any or all principals of the Corporate Defendant.

11. All documents concerning (and therefore stating) the position(s) of the Individual Defendant, and/or any other managers within the management structure of the Corporate Defendant (such as an organizational chart).

12. Where not already produced, all documents concerning the organizational structure of the Corporate Defendant, including but not limited to organizational charts, memoranda, and other documents identifying subsidiary and parent entities.

13. Where not already produced, all documents which describe the organizational structure or reporting structure of the Corporate Defendant, concerning the managerial oversight of Plaintiff, or group of employees in which Plaintiff were employed.

14. Copies of the Corporate Defendant's federal, state, and local income tax returns for the period February 2010 to date, including all supporting documentation and attachments, and for any and all subsequent years as they become available during the course of this litigation.

15. Copies of the Corporate Defendant's federal tax form, Employer's Quarterly Federal Tax Return (Form 941), for the tax years 2010 to 2016 inclusive, and for any and all subsequent years as they become available during the course of this litigation.

16. Copies of the Corporate Defendant's New York state tax form, Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return (Form NYS-45), for the tax years 2010 through 2016 inclusive, and for any and all subsequent years as they become available during the course of this litigation.

17. Copies of the Corporate Defendants' federal tax form, Employer's annual Federal Unemployment (FUTA) Tax Return (Form 940), for the tax years 2009 through 2015 inclusive, and for any and all subsequent years as they become available during the course of this litigation.

18. Any and all documents filed with federal or state taxing authorities concerning any Plaintiff or any Plaintiff compensation during their employment with Defendants (i.e. W-2 and/or 1099 forms).

19. All documents used in the preparation of taxes for 2010 through 2016 inclusive concerning Defendants' Gross Volume of Sales.

20. All documents, where not already included in another request, concerning Defendant's Gross Volume of Sales in 2010 through 2016, including without limitation records of receipts, sales, credit card sales receipts, bank account statements, bank deposit slips, and periodic summaries of gross sales.

21. Copies of all federal and state tax returns filed by the Individual Defendants, either individually and/or jointly with another person and/or entity, for the tax years 2010 through 2015 (inclusive, and including any pending returns which have yet to be filed) and for any and all subsequent years as they become available during the course of this litigation.

22. All documents identifying all the names and addresses of any other corporations, partnerships, or business interests owned, in whole or in part, or operated, in whole or in part, by the Individual Defendants, such as, but not limited to, any articles of incorporation, or formation agreements of any such other corporations, partnerships, or business interests.

23. All documents concerning the transfer or movement of supplies, food or goods between the locations owned or businesses controlled by Defendants.

24. All documents concerning the sale of goods produced, cooked, or handled by Plaintiff in any other business or entity controlled by Defendants.

25. All written or recorded statements, either under oath or otherwise, made by Plaintiff or by Defendants concerning the subject matter of this litigation.

26. All documents concerning any statement or admission by any individual that is relevant to the allegations in the Complaint and/or Answer in this action.

27. All documents concerning any statement or admission by any person, not a party to this action, relevant to the allegations in the Complaint and/or Answer(s) thereto in this action.

28. All documents concerning statements, memoranda or other documents relating to witnesses or potential witnesses or persons contacted in connection with this case.

29. All documents concerning the personnel file of the Plaintiff (including but not limited to all documents contained therein).

30. All documents concerning any written offer of employment to the Plaintiff and/or any acceptance of employment by Plaintiff.

31. All documents concerning or reflecting the terms of any oral offer of employment to the Plaintiff.

32. All documents concerning any advertisements, "help wanted" notices, or other documents seeking to employ individuals (or drafts thereof) for any position opening for any positions held by Plaintiff.

33. Where not already produced in response to another request herein, all documents concerning any agreement(s), contract(s), and/or any other documentation of the terms and conditions of each Plaintiff's employment relationship with Defendants.

34. All documents concerning descriptions of any Plaintiff's job duties and assignments upon commencing employment with Defendants, including documents reflecting any modifications or revisions to such duties and assignments.

35. All documents concerning Defendant's policies, whether formal or informal, related to employees in effect at any time from February 2010 to the present, including:
    a. documents, guidelines and policies provided to employees;
    b. documents relating to Defendant's policies, procedures, manuals or guidelines for supervisors, managers, Human Resources, or Employee Relations to handle, address, or investigate complaints of unpaid overtime; and
    c. any revision or amendment of such policies or procedures.

36. All documents identifying the individuals responsible for the preparation of payroll for any employee of any Defendant.

37. All documents concerning Plaintiff's work schedule.

38. All documents reflecting the attendance of Plaintiff.

39. All documents concerning or reflecting the hours Plaintiff worked, including without limitation punch cards, time sheets, time cards, and work logs.

40. All computers, laptop computers, or other electronic data storage device (or in lieu thereof, a "data mirror" of any and all relevant data contained on such electronic storage device in a readily accessible format) in which information as to any Plaintiff's work hours and/or compensation was entered and/or stored.

41. All documents concerning the method of computation and/or the amount of compensation received by Plaintiff during employment with Defendants, including, without limitation, the following:
    a. all payroll records
    b. copies of Plaintiff's paychecks
    c. Paycheck receipts
    d. records of cash payments
    e. records of tips, compensation therefore, and accounting therefore
    f. records of vacation
    g. records of holiday, and/or sick pay
    h. records of bonuses, and
    i. records of pay summaries

42. Where not already produced, all documents or records required to be maintained by any Defendant concerning any Plaintiff by reason of their being an employee under the Fair Labor Standards Act or the New York Labor Law, or the rules and regulations issued thereunder (such as those required under 29 C.F.R. 516).

43. All documents concerning any Defendant's policy or practice with respect to providing meal breaks and rest breaks.

44. All documents concerning any deductions made in the wages of any Plaintiff for meal breaks or rest breaks.

45. All documents that reflect or demonstrate the date and time of Plaintiff's meal and/or rest breaks, if any.

46. All documents concerning any reimbursements of Plaintiff for any required uniform, or the cleaning thereof.

47. All documents concerning any reimbursement of Plaintiff for an expenses incurred as a part of their employment on behalf of the Defendants.

48. All documents concerning any deductions any Defendant made from the wages of any Plaintiff for meals, board, lodging, or use of other facilities.

49. All documents concerning tips or other similar payment received by Plaintiff.

50. Copies of all employment agreements between Defendants and Defendants' employees, including Plaintiff, executed between February 2010 and the present.

51. Copies of all release agreements signed between Defendants and Defendants' employees executed between February 2010 and the present.

52. Any and all documents evidencing demands for monies from Defendants by Plaintiff.

53. All documents concerning the posting of any required notices to employees, such as those required by the New York State Dept. of Labor, and the U.S. Dept. of Labor.

54. All documents that set forth or refer to any investigation, studies, audits, or analysis by Defendants (or any third party acting on Defendants' behalf) concerning the method of compensating any employee of any Defendant, including but not limited to Plaintiff.

55. Any and all documents that Defendants, or any person acting on their behalf, filed with, otherwise gave, produced to, or received from the United States Department of Labor, the New York State Department of Labor, and/or any similar agency relating to Plaintiff's employment or termination thereof.

56. Any and all documents that record, set forth, or refer to any administrative or civil complaints, claims, or grievances filed or asserted against any Defendant for unpaid wages or unpaid overtime wages by any employee, since February 2010.

57. All documents concerning any complaints, claims, grievances, or communications of any kind, oral or written, made by the Plaintiff, or on Plaintiff's behalf, to Defendants or any of their representatives relating to any issue concerning their compensation and/or work schedule.

58. All documents concerning any internal complaints, claims, grievances and/or charges made by employees of Defendants (other than Plaintiff) relating to issues concerning compensation and/or retaliation for complaints regarding compensation.

59. All documents concerning any investigation conducted and/or conducted by the Internal Revenue Service and/or any other state or local tax governmental agency regarding the actions and/or conduct of Defendants in relation to accounting for or reporting of income and/or employee compensation.

60. All documents concerning the policies, procedures, and guidelines for data retention related to any Defendants' computers, computer systems, electronic data, and electronic media, including, but not limited to, electronic data retention, backup, archival, preservation, and destruction schedules.

61. All documents concerning (and therefore reflecting or indicating) the names and/or other contact information for any employee of any Defendant, such as any employee rosters or other employment records, whether formal or informal.

62. All documents concerning any employees (and therefore identifying any employees) who worked with Plaintiff or engaged in the same job duties as Plaintiff.

63. All documents concerning communications between or among Defendants, not otherwise produced in response to these requests, regarding any matter relevant to the allegations in the Complaint and/or Answer.

64. Where not produced in response to another request herein, all documents concerning the number of hours worked by each Plaintiff during his employment with any Defendant.

65. Where not already produced in response to another request herein, all documents concerning any employee benefits, employee benefit plans, and/or other remuneration received by each Plaintiff from Defendants in addition to his hour wage, including, without limitation, documents relating to health insurance plains; 401(k) plans; short and/or long term disability plains, vacation, holiday, and/or sick time; bonuses.

66. All written policies and/or procedures concerning the discipline and/or termination of employees.

67. All documents concerning any requirements that prospective employees of defendants must meet prior to hiring.

68. All documents concerning any contact information, employee rosters, employee phone number lists, or other records of employees of Defendants.

69. All documents concerning any documentation submitted by any employees of Defendants regarding or setting forth the following information:
(1) Name;
(2) address;
(3) date of birth;
(4) number of dependents; and
(5) United States work status information (i.e. green card or other immigration information).

70. All documents concerning the sale or transfer of any and all business assets and/or debts of the Corporate Defendant for the period February 2010 to the present. This request shall include but not be limited to the following:
    a. Documents concerning the transfer of debts or assets amongst and between the Defendants in this action, and/or their immediate family members
    b. Documents concerning the sale or purchase of the Corporate Defendant, or any of their subsidiary or parent entities, by the Defendants, and/or their immediate family members.
    c. Documents concerning payments by Defendants to the Individual Defendant in this action, or his immediate family members, whether for compensation, distribution, or payments of any kind.

71. All documents or records, including any and all insurance claims or reports, regarding the destruction, loss, or misplacement of payroll, time, attendance, or other like or related wage records by Defendants.

72. All documents concerning communications by, from, or between any Defendant and an accountant, or person(s) providing accounting services for Defendants, concerning the compensation and/or accounting therefore of employees of Defendants.

73. All documents set by, from, or between any Defendants to an accountant, or person(s) providing accounting services for Defendants, concerning any cash payments made to any employees, or accounting thereof.

74. All documents concerning phone calls from any Defendant to the Plaintiff, including itemized phone bills.

75. Where not already produced in response to another request herein, all documents concerning communications by and between Defendants concerning the Plaintiff.

76. All reports or drafts of reports provided to any Defendant and/or their agents by any expert(s) whom any Defendant and/or their representative(s) have consulted with, contacted, or retained in connection with this action.

77. Where not already produced in response to another request herein, all documents concerning (and therefore including) communications by, to, or amongst any Defendant and concerning any of the following:

a. wages paid or due to Plaintiff;
b. Overtime paid or due to Plaintiff;
c. Spread of Hours pay, or payment or calculation of Spread of Hours pay for any employee of any Defendant;
d. Overtime pay, or payment or calculation of Overtime pay for any employee of any Defendant;
e. Compliance with any wage and hour law or regulation under New York State or Federal law;
f. Any cash payment to any Plaintiff by any Defendant, or accounting thereof, whether formally or informally;
g. Tax treatment of compensation paid or due to Plaintiff; and
h. This lawsuit.

Dated: Flushing, New York
May 13, 2016

HANG & ASSOCIATES, PLLC

By: /s/ *William Brown*

William M. Brown
136-18 39th Avenue Suite 1003
Flushing, New York 11354
Phone: 718.353.8588
Fax: 718.353.6288
e-mail: wbrown@hanglaw.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2016, I served a true and correct copy of the foregoing via email and by U.S. Mail on all counsel of record:

Michael Samuel
Samuel & Stein
38 West 32nd Street,Suite 1110
New York, NY 10001
212-563-9884
michael@samuelandstein.com

/s/*William Brown*
William Brown

EXHIBIT B

William Brown

From:	William Brown <wbrown@hanglaw.com>
Sent:	Tuesday, June 14, 2016 11:50 AM
To:	'Michael Samuel'
Cc:	'jian hang'
Subject:	Wild Ginger

Michael,

Please take note that Plaintiff's discovery requests were due yesterday (they were served on May 13). Also please let me know by the end of this week whether Defendants will consent to conditional certification, if not we will be filing a pre-motion letter on Friday.

WILLIAM BROWN, ESQ.
(718)353-8588 (Direct) | (718)353-6288 (Fax)
wbrown@hanglaw.com | www.hanglaw.com

H&A

HANG & ASSOCIATES, PLLC
杭剑联合律师事务所
136-18 39th Avenue, Suite 1003
Flushing, New York 11354

William Brown

From: William Brown <wbrown@hanglaw.com>
Sent: Monday, August 15, 2016 1:13 PM
To: 'Michael Samuel'
Subject: Wild Ginger

Michael,

I noticed that you have still not provided responses to our discovery requests which are now very long overdue. Please provide same by the end of the week.

Thank you,

WILLIAM BROWN, ESQ.
(718)353-8588 (Direct) | (718)353-6288 (Fax)
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H&A

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136-18 39th Avenue, Suite 1003
Flushing, New York 11354

William Brown

From: William Brown <wbrown@hanglaw.com>
Sent: Tuesday, August 23, 2016 1:28 PM
To: 'Michael Samuel'
Subject: RE: Wild Ginger

Discovery closes November 11. Please provide your responses by next Wednesday, afterwards we can schedule depositions, that is unless your client is ready to discuss settlement.

From: Michael Samuel [mailto:michael@samuelandstein.com]
Sent: Tuesday, August 23, 2016 1:22 PM
To: William Brown <wbrown@hanglaw.com>
Subject: RE: Wild Ginger

When does discovery closer. I am out if the country until friday. Can I get these to you early next week

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: William Brown <wbrown@hanglaw.com>
Date: 8/23/16 1:20 PM (GMT-05:00)
To: Michael Samuel <michael@samuelandstein.com>
Subject: Wild Ginger

Michael,

I still have not received your discovery responses in this case. I have prepared a motion to compel. As a final courtesy I will give you until the end of the day to provide your responses.

Best,

WILLIAM BROWN, ESQ.
(718)353-8588 (Direct) | (718)353-6288 (Fax)
wbrown@hanglaw.com | www.hanglaw.com

H&A

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